

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)
)
)
v.) Cr. No. 04-10232-RWZ
)
)
JAMES MACHADO)

DEFENDANT'S MOTION TO DISMISS INFORMATIONS

James Machado ("the defendant"), by and through undersigned counsel, hereby moves this Honorable Court to dismiss the government's constitutionally defective informations. The defendant contends that dismissal is warranted because the government has violated his Sixth Amendment right to a speedy trial and missed the applicable statute of limitations. The defendant bases his contention upon the accompanying Memorandum of Law.

WHEREFORE, the defendant asks the court to dismiss the two invalid informations.

Dated: September 24, 2005

Respectfully submitted,
JAMES MACHADO,
By his attorneys,

/s/ Gary G. Pelletier

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